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21 **DOCMAGIC, INC.**

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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DOCMAGIC, INC., a California corporation.,

Plaintiff,

v.

ELLIE MAE, INC., a Delaware,

Defendant.

AND RELATED COUNTERCLAIM

Case No. 3:09-cv-4017-EMC

**JOINT STIPULATION TO VACATE
JANUARY 15, 2012 DEADLINE FOR
COMPLETION OF FACT DISCOVERY
AND [PROPOSED] ORDER**

ORDER SETTING CMC

1 Pursuant to Civil Local Rules 6-1, 6-2, and 7-12, Plaintiff DocMagic, Inc. (“DocMagic”),
 2 and Defendant, Ellie Mae, Inc. (“Ellie Mae”), by and through their respective counsel, hereby
 3 stipulate and request that the January 15, 2012 fact discovery cutoff be vacated.

4 As explained in the accompanying Declaration of Noah A. Brumfield, this change in the
 5 discovery schedule set May 16, 2011 by Judge Marilyn Hall Patel is proposed in order to enable
 6 DocMagic and Ellie Mae to complete the documentation of a settlement agreement reached
 7 during mediation before the Honorable Edward A. Infante.

8 It is hereby stipulated and agreed by and through the undersigned attorneys for Ellie Mae
 9 and DocMagic, subject to the Court’s approval, that the January 15, 2012 fact discovery cutoff
 10 ordered by Judge Patel on May 16, 2011 shall be vacated. It is further stipulated and agreed that
 11 the Court should set a case management conference in this matter for February 1, 2012, or as soon
 12 thereafter as the Court’s schedule permits.

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IT IS SO STIPULATED.

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Dated: December 14, 2011

WHITE & CASE LLP

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By: /s/ Noah A. Brumfield
 Noah A. Brumfield

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Attorneys for Defendant/Counter-Claimant
 ELLIE MAE, INC.

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Dated: December 14, 2011

MORRISON & FOERSTER LLP

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By: /s/ Stuart C. Plunkett
 Stuart C. Plunkett

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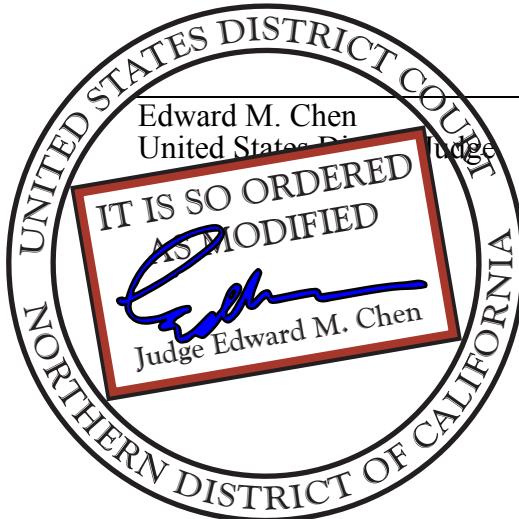
Attorneys for Plaintiff/Counter-Defendant
 DOCMAGIC, INC.

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1 PURSUANT TO STIPULATION, IT IS ORDERED:

2 The Court has read and considered the parties' stipulation and orders that the January 15,
3 2012 fact discovery cutoff ordered by Judge Patel on May 16, 2011 shall be vacated. A CMC
4 is set for 2/10/12 at 9:00 a.m. An updated joint CMC Statement shall be filed by 2/3/12.

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6 Dated: 12/19/11



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ATTESTATION CLAUSE

I, Noah Brumfield, hereby attest in accordance with General Order No. 45.X.B that Stuart C. Plunkett, counsel for DocMagic, Inc., has provided his concurrence with the electronic filing of the foregoing document entitled **JOINT STIPULATION TO VACATE JANUARY 15, 2012**

DEADLINE FOR COMPLETION OF FACT DISCOVERY.

Dated: December 14, 2011

WHITE & CASE LLP

By: /s/ Noah A. Brumfield
Noah A. Brumfield

Noah A. Brumfield

Atorneys for Defendant/Counterclaimant
ELLIE MAE, INC.